

ZB# 77-13

Lafayette Sign Co./
Grand Union

69-1-6

Public Hearing

May 23, 1977 - 8 p.m.

CCPD needs to know.

Notice sent to

Evening News - 6/24/77

~~See unpaid~~ \$50.00 PR.

Held for fee

~~\$50.00 due~~

~~do not do~~

~~final decision~~

See paid 7/27/77

Check # 1601 -

File - Town Clerk's Office

Lafayette Sign Co.
77-13 - Grand Union sign

LAFAYETTE
SIGN CO.

SIGNS
MAINTENANCE
SIGN ERECTIONS

John J. Janis, Jr.
Field Supervisor
(201) 434-4434

984-990 WEST SIDE AVENUE • JERSEY CITY, N J 07306

GENERAL RECEIPT

3347

Town of New Windsor, N. Y.

Received of

Lafayette Sign Co July 29, 1977

Fifty and 00/100 \$ 50.00 Dollars

For

77-13

DISTRIBUTION:

FUND	CODE	AMOUNT
50.00		
Check		

BY

Charlotte Marcantonio

WILLIAMSON LAW BOOK CO., ROCHESTER, N. Y. 14609

TITLE

~~DO NOT~~
~~Approval until~~
~~\$50.00 check~~
~~is added. Check rec'd.~~

7/27/77

Lafayette
John Janis
434-4434

VTR
Associates - owner of property
Sign Variance Approved on 7/19/77.

Received
8/26/77

4-1-6

TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS

APPLICATION FOR VARIANCE OR SPECIAL PERMIT

~~7/1/77~~
(Number)

7/5/77
(Date)

I. Applicant information:

- on P.O. Box 902, Newburgh, N.Y.*
- (a) V.G.R. Assoc. P.O. Box 334, Lenox Hill Sta. N.Y.C., N.Y. 914-565-7740
(Name, address and phone of Applicant)
- (b) Grand Union Co., 100 Broadway, East Paterson, N.J. 201-796-4800
(Name, address and phone of purchaser or lessee)
- (c) N/A
(Name, address and phone of attorney)
- (d) N/A
(Name, address and phone of broker)

II. Application type:

- ☐ Use variance
- ☐ Area variance
- ☒ Sign variance
- ☐ Special permit

III. Property information:

- (a) _____
(Zone) (Address) (M B L) (Lot size)
- (b) What other zones lie within 500 ft.? _____
- (c) Is a pending sale or lease subject to ZBA approval of this application? No
- (d) When was property purchased by present owner? _____
- (e) Has property been subdivided previously? _____ When? _____
- (f) Has property been subject of variance or special permit previously? _____ When? _____
- (g) Has an order-to-remedy violation been issued against the property by the Zoning Inspector? _____. If so, when _____.

7/1/77
(Number)

7/5/77
(Date)

I. Applicant information:

- on P.O. Box 902, Newburgh, N.Y.
- (a) V.G.R. Assoc; P.O. Box 334, Lenox Hill Sta. N.Y.C., N.Y. 914-565-7740
(Name, address and phone of Applicant)
- (b) Grand Union Co., 100 Broadway, East Paterson, N.J. 201-796-4800
(Name, address and phone of purchaser or lessee)
- (c) N/A
(Name, address and phone of attorney)
- (d) N/A
(Name, address and phone of broker)

II. Application type:

- ☐ Use variance
- ☐ Area variance
- ☒ Sign variance
- ☐ Special permit

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- (a) (M B L)
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- (b) What other zones lie within 500 ft.?
- (c) Is a pending sale or lease subject to ZBA approval of this application? No
- (d) When was property purchased by present owner?
- (e) Has property been subdivided previously? When?
- (f) Has property been subject of variance or special permit previously? When?
- (g) Has an order-to-remedy violation been issued against the property by the Zoning Inspector? . If so, when .
- (h) Is there any outside storage at the property now or is any proposed? Describe in detail.

☐ IV. Use variance:

- (a) Use Variance requested from New Windsor Zoning Local Law, Section _____, Table _____, Column _____, to allow

N/A

(Describe proposed use)

- (b) The legal standard for a "USE" variance is unnecessary hardship. Describe why you feel unnecessary hardship will result unless the use variance is granted. Also set forth any efforts you have made to alleviate the hardship other than this application.

N/A

☐ V. Area variance: N/A

- (a) Area variance requested from New Windsor Zoning Local Law, Section _____, Table _____, Column _____

<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Min. Lot Area _____	_____	_____
Min. Lot Width _____	_____	_____
Reqd. Front Yard _____	_____	_____
Reqd. Side Yards <u>/</u>	<u>/</u>	<u>/</u>
Reqd. Rear Yard _____	_____	_____
Reqd. Street Frontage* _____	_____	_____
Max. Bldg. Hgt. _____	_____	_____
Min. Floor Area* _____	_____	_____
Development Coverage* _____ %	_____ %	_____ %
Floor Area Ratio** _____	_____	_____

* Residential districts only

** Non-residential districts only

11/44
(Describe proposed use)

- (b) The legal standard for a "USE" variance is unnecessary hardship. Describe why you feel unnecessary hardship will result unless the use variance is granted. Also set forth any efforts you have made to alleviate the hardship other than this application.

N/A



V. Area variance: N/A

- (a) Area variance requested from New Windsor Zoning Local Law, Section _____, Table _____, Column _____

<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Min. Lot Area _____	_____	_____
Min. Lot Width _____	_____	_____
Reqd. Front Yard _____	_____	_____
Reqd. Side Yards <u>1</u>	<u>1</u>	<u>1</u>
Reqd. Rear Yard _____	_____	_____
Reqd. Street Frontage* _____	_____	_____
Max. Bldg. Hgt. _____	_____	_____
Min. Floor Area* _____	_____	_____
Development Coverage* _____ %	_____ %	_____ %
Floor Area Ratio** _____	_____	_____

* Residential districts only

** Non-residential districts only

- (b) The legal standard for an "AREA" variance is practical difficulty. Describe why you feel practical difficulty will result unless the area variance is granted. Also set forth any efforts you have made to alleviate the difficulty other than this application.

N/A

☒ VI. ☒ Sign Variance:

- (a) Variance requested from New Windsor Zoning Local Law, Section 48-9, Table of use, regs Column D.

	<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Sign 1	_____	<u>2 x 16'</u>	<u>32</u>
Sign 2	_____	_____	_____
Sign 3	_____	_____	_____
Sign 4	_____	_____	_____
Sign 5	_____	_____	_____
Total	_____ sq.ft.	<u>32</u> sq.ft.	<u>32</u> sq.ft.

- ☒ (b) Describe in detail the sign(s) for which you seek a variance, and set forth your reasons for requiring extra or oversize signs.

The proposed sign identifies a service that is unique
in most Grand Union operations, an extensive Bakery and
Delicatessan area. In order to identify and advertise the
fact, the sign as applied for, is necessary to advertise to
the patrons of the shopping center and the motorists passing
by.

- (c) What is total area in square feet of all signs on premises including signs on windows, face of building, and free-standing signs?

(1) sign only, "GRAND UNION" 4' x 60 240 sq. ft.
(Building)

☒ VI. ✓ Sign Variance:

- (a) Variance requested from New Windsor Zoning Local Law, Section 48-9, Table of use, regs Column D.

	<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Sign 1	_____	<u>2 x 16'</u>	<u>32</u>
Sign 2	_____	_____	_____
Sign 3	_____	_____	_____
Sign 4	_____	_____	_____
Sign 5	_____	_____	_____
<hr/>			
Total	_____ sq.ft.	<u>32</u> sq.ft.	<u>32</u> sq.ft.

- ✓ (b) Describe in detail the sign(s) for which you seek a variance, and set forth your reasons for requiring extra or oversize signs.

The proposed sign identifies a service that is unique
in most Grand Union operations, an extensive Bakery and
Delicatessen area. In order to identify and advertise the
fact, the sign as applied for, is necessary to advertise to
the patrons of the shopping center and the motorists passing
by.

- (c) What is total area in square feet of all signs on premises including signs on windows, face of building, and free-standing signs?

(1) sign only, "GRAND UNION" 4' x 60 240 sq. ft.
(Building)

☐ VII. Special Permit:

- (a) Special permit requested under New Windsor Zoning Local Law, Section _____, Table _____, Column _____.
- (b) Describe in detail the use and structures proposed for the special permit.

N/A

☐ VIII. Additional comments:

- (a) Describe any conditions or safeguards you offer to ensure that the quality of the zone and neighboring zones is maintained or upgraded and that the intent and spirit of the New Windsor Zoning Local Law is fostered. (Trees, landscaping, curbs, lighting, paving, fencing, screening, sign limitations, utilities, drainage.)

The lighting of the sign will be extinguished with the existing
GRAND UNION sign. The placement of the sign will insure good
readability and the colors used are compatible with the decor
of the store's facade.

☒ IX. Attachments required:

- ☐ Copy of letter of referral from Building and Zoning Inspector.
 - ☐ Copy of contract of sale, lease or franchise agreement.
 - ☐ Copy of tax map showing adjacent properties
 - ☐ Copy(ies) of site plan or survey showing the size and location of the lot, the location of all buildings, facilities, utilities, access drives, parking areas, trees, landscaping, fencing, screening, signs, curbs, paving and streets within 200 ft. of the lot.
 - ☒ Copy(ies) of sign(s) with dimensions.
 - ☐ Check in amount of \$ 50.00 payable to Town of New Windsor.
- Photos of existing premises which show all present signs and landscaping.

- (b) Describe in detail the use and structures proposed for the special permit.

N/A



VIII. Additional comments:

- (a) Describe any conditions or safeguards you offer to ensure that the quality of the zone and neighboring zones is maintained or upgraded and that the intent and spirit of the New Windsor Zoning Local Law is fostered. (Trees, landscaping, curbs, lighting, paving, fencing, screening, sign limitations, utilities, drainage.)

The lighting of the sign will be extinguished with the existing
GRAND UNION sign. The placement of the sign will insure good
readability and the colors used are compatible with the decor
of the store's facade.



IX. Attachments required:

- ☐ Copy of letter of referral from Building and Zoning Inspector.
 - ☐ Copy of contract of sale, lease or franchise agreement.
 - ☐ Copy of tax map showing adjacent properties
 - ☐ Copy(ies) of site plan or survey showing the size and location of the lot, the location of all buildings, facilities, utilities, access drives, parking areas, trees, landscaping, fencing, screening, signs, curbs, paving and streets within 200 ft. of the lot.
 - ☒ Copy(ies) of sign(s) with dimensions.
 - ☐ Check in amount of \$ 50.00 payable to Town of New Windsor.
- Photos of existing premises which show all present signs and landscaping.
All photos must be 8" x 10" or be mounted on 8 1/2" x 11" paper.
- ☐ Other

(Official Use Only)

X. AFFIDAVIT.

Date

July 7, 1977

STATE OF NEW YORK)

) SS.:

COUNTY OF ORANGE)

The Undersigned Applicant, being duly sworn, deposes and states that the information, statements and representations contained in this application are true and accurate to the best of his knowledge or to the best of his information and belief. The applicant further understands and agrees that the Zoning Board of Appeals may take action to rescind any variance or permit granted if the conditions or situation presented herein are materially changed.

Lucille Fremer
(Applicant)

Sworn to before me this

_____ day of _____, 1975.

Mane giff Ogent
V. G. R. Associates
P. O. Box 902
Northburgh, N.Y. 12550

XI. ZBA Action:

(a) Public Hearing date _____

(b) Variance is _____

(c) Special Permit is _____

(d) Conditions and safeguards _____

A FORMAL DECISION WILL FOLLOW
WHICH WILL BE ADOPTED BY RESO-
LUTION OF ZONING BOARD OF APPEALS.

COUNTY OF ORANGE)

The Undersigned Applicant, being duly sworn, deposes and states that the information, statements and representations contained in this application are true and accurate to the best of his knowledge or to the best of his information and belief. The applicant further understands and agrees that the Zoning Board of Appeals may take action to rescind any variance or permit granted if the conditions or situation presented herein are materially changed.

Lucille Greiner
(Applicant)

Sworn to before me this
_____ day of _____, 1975.

Managing Agent
V. G. R. Associates
P. O. Box 902
Newburgh, N.Y. 12550

XI. ZBA Action:

- (a) Public Hearing date _____
- (b) Variance is _____
- (c) Special Permit is _____
- (c) Conditions and safeguards _____
- _____
- _____
- _____
- _____
- _____

A FORMAL DECISION WILL FOLLOW
WHICH WILL BE ADOPTED BY RESO-
LUTION OF ZONING BOARD OF APPEALS.

7
ZONING BOARD OF APPEALS : TOWN OF NEW WINDSOR

-----X
In the Matter of the Application of
V.G.R. ASSOCIATES - GRAND UNION COMPANY, Lessee,
on Application #77-13.

DECISION GRANTING
SIGN VARIANCE

-----X
WHEREAS, V.G.R. ASSOCIATES of P. O. Box 334, Lenox Hill Station, New York City, and Grand Union Company of 100 Broadway, East Paterson, N. J., as Lessee, by agent, Lafayette Sign Company, have made application for variance from the provisions of the New Windsor Local Law, Section 3.2 Table of Use Regulations, Column D, to permit variance on a sign; and

WHEREAS a public hearing on the application was held by the Zoning Board of Appeals at the Town Hall, 555 Union Avenue, New Windsor, New York on the 18th day of July, 1977, after due publication in The Evening News and due notices to residents and businesses within 500 ft. of the subject premises by certified mail; and

WHEREAS, Mr. John Janis of Lafayette Sign Company appeared on behalf of V.G.R. Associates at a public hearing, and no opposition having appeared;

NOW THEREFORE the Zoning Board of Appeal: of the Town of New Windsor makes the following findings of fact in this matter:

1. The proposed sign which will read "Bakery-Deli" will be located under the canopy of the Grand Union Company building at Simmons Plaza, is in good taste and is not offensive to the neighboring properties.

2. The sign is needed for identification of the recent addition of a bakery-deli to the Grand Union Company building.

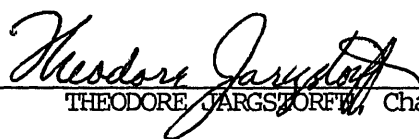
3. The variance is for 220 sq. ft. area variance for the sign which is not inconsistent with other signs located in the same area.

The Zoning Board of Appeals of the Town of New Windsor makes the following determinations of law in this matter:

1. The variance sought is not substantial in relation to the allowed sign size in the C zone under the Zoning Local Law; and
2. The affect of the variance if allowed on the population and available government facilities would be nil; and
3. No substantial change in the character of the neighborhood would result nor would there be a substantial detriment to the adjoining properties.
4. The difficulty with respect to advertising of the business cannot be obviated by some other method feasible for the applicant to pursue, other than a variance.
5. The interests of justice would be served by allowing the variance.

AND THEREFORE BE IT RESOLVED that the Zoning Board of Appeals of the Town of New Windsor determines that the applicant meets the practical difficulty test for a zoning variance as sought.

BE IT FURTHER RESOLVED that a copy of the decision be forwarded to the applicant, Town Clerk and Town Planning Board.



THEODORE JARGSTORF, Chairman

Dated: August 15, 1977.

ZONING BOARD OF APPEALS
Town of New Windsor, New York 12550

555 Union Avenue
New Windsor, N. Y. 12550
July 22, 1977

Mr. John J. Janis, Jr.
Lafayette Sign Co.
984 West Side Avenue
Jersey City, N. J. 07306

RE: APPLICATION FOR SIGN VARIANCE BEFORE
NEW WINDSOR ZONING BOARD OF APPEALS

Dear John:

Kindly forward check in the sum of \$50.00 payable to the Town of
New Windsor for the above application fee for a variance. I
inadvertently forgot to collect the fee at the Public Hearing on
July 18, 1977.

Upon receipt of the check I shall forward a letter of approval
of the above variance and formal decision thereof.

Thank you.

Sincerely yours,

Pat Razansky
PATRICIA RAZANSKY, Secretary

/pr

cc: Howard Collett, Bldg. Inspector
Town of New Windsor

*Paid
Check # 1601-
from Lafayette Sign Co.
on 7/27/77.*



OFFICE OF THE ASSESSOR

TOWN OF NEW WINDSOR

Chairman
Ellsworth E Weyant
555 Union Avenue
New Windsor, New York 12550
(914) 565-8808

1763 National Temple Hill Association
P.O. Box 315
Vails Gate, N.Y. 12584

Walsky, Harold; Duarte, Graciano
554 Chestnut Ridge Rd.
Woodcliff Lake, N.J.

Lipsenthal, Jerome; Book, Jerome
Book, Samuel Etal.
189 Grand Street
Newburgh, N.Y. 12550

Bergknoff, Irwin
Route 32
Highland Mills, N.Y. 10930

Ettinger, Howard W. & Sarah P.
Box 64
Vails Gate, N.Y. 12584

Robin, Arthur
Box 235
Vails Gate, N.Y. 12584

Stuart Satterly & Son Inc.
RD#2 Riley Road
New Windsor, N.Y. 1255

Satterly, Margaret M.
RD#2 Riley Road
New Windsor, N.Y. 12550

Marshall, Nicholas C.
Vails Gate, N.Y. 12584

Schoonmaker Homes, Inc.
P.O. Box 98
Vails Gate, N.Y. 12584

Shea, Theodore C.
Box 495
Vails Gate, N.Y. 12584

Thorne, Douglas C. Inc.
P.O. Box 8
Vails Gate, N.Y. 12584

Bonura, Mary E.; Callas, Peter T.
Sarvis Lane
Newburgh, N.Y. 12550

Casaccio, Paul & Virgina
RD#4 Alder Drive
New Windsor, N.Y. 12550

Primivera, Joseph A. & Robert
Vails Gate, N.Y. 12584

Angelo Rosmarino Ent. Inc.
P.O. Box 392
Vails Gate, N.Y. 12584

Gasland Inc. C/O Goodhope Industries
04034 P.O. Box 3190
Springfield Mass. 01101

BLC Properties Inc. & Theresa M.
RD#1 Sarvis Lane
Newburgh, N.Y. 12550

Baright, Richard S. D/B/A Baright Rlt
Box 595
Vails Gate, N.Y. 12584

Weber, George A. & Olive M.
P.O. Box 24
Vails Gate, N.Y. 12584

Trevorah, Edward
P.O. Box 1
Vails Gate, N.Y. 12584

G E Pension Fund Trustees Of
C/O Atlantic Refining Co.
P.O. Box 7258
Philadelphia, Pa.

Safeky Mini-Warehouses Inc.
34 Hudson Drive
New Windsor, N.Y. 12550

Academy Terminal Corp.
90 Main Street
Highland Falls, N.Y. 10928



OFFICE OF THE ASSESSOR

TOWN OF NEW WINDSOR

Chairman
Ellsworth E. Weyant
555 Union Avenue
New Windsor, New York 12550
(914) 565-8808

1763 Bernhardt, Robert G. & Coleen J.
Route 94
Vails Gate, N.Y. 12584

Boneri, Concetta
Vails Gate, N.Y. 12584

Simonson, Richard & Helen
Vails Gate, N.Y. 12584

Brewer, Ella
Box 527
Vails Gate, N.Y. 12584

Brewer, Wilbur
Vails Gate, N.Y. 12584

Ernst, Jerome & Pearl
1594 Unionport Road
Bronx, N.Y. 10462

Brewer, Walter
Vails Gate, N.Y. 12584

McMillen, Mary C/O Mrs. James Deyo
P.O. Box 293
Vails Gate, N.Y. 12584

Brewer, Russell R. Sr.
P.O. Box 103
Vails Gate, N.Y. 12584

Brewer, Helen, Ida Mae, Micheal
Vails Gate, New York 12584

Deyo, Beatrice & James; Scherf, Hannah
Vails Gate, New York 12584

Slepoy, Herbert; Gardner, Fred
881 Knota Road
Woodmere, N.Y. 11598


Franchise Realty Interstate Corp.
P.O. Box 66207 AMF O'Hare Airport
Chicago, Illinois 60666

Mobil Oil Corp. Eastern Reg. Property
Tax Division
P.O. Box 839
Valley Forge, Pa. 19482

Leonardo, Catherine
C/O Angeline Gruber
355 Third Street
Newburgh, N.Y. 12550

Marshall, Maria
Box 68
Vails Gate, N.Y. 12584

Respectfully submitted,


ELLSWORTH E. WEYANT
Sole Assessor
Town of New Windsor

PUBLIC NOTICE OF HEARING BEFORE
THE ZONING BOARD OF APPEALS

PLEASE TAKE NOTICE that the Zoning Board of Appeals of the
TOWN OF NEW WINDSOR, New York will hold a public hearing pursuant
to Section 48-33A of the Zoning Ordinance on the following
proposition:

Appeal No. 13

Request of VGR ASSOCIATES, Property Owner -
Grand Union Company, Lessee
for a Variance Special Use Permit of the
regulations of the Zoning Local Law, to permit
oversized building sign

being a Variance Special Use Permit of
Section 48-9 - Table of Use Regulations - (b)(1)
for property situated at: Temple Hill Road at
Simmons Plaza, Vails Gate, Town of New Windsor, N. Y.

SAID HEARING will take place on the 18th day of July, 1977,
at the New Windsor Town Hall, 555 Union Avenue, New Windsor, N. Y.
beginning at 8:45 o'clock P. M.

THEODORE JAKSTOBY
Chairman

July 7

PUBLIC NOTICE OF HEARING BEFORE
THE ZONING BOARD OF APPEALS

PLEASE TAKE NOTICE that the Zoning Board of Appeals of the
TOWN OF NEW WINDSOR, New York will hold a public hearing pursuant
to Section 48-33A of the Zoning Ordinance on the following
proposition:

Appeal No. 13

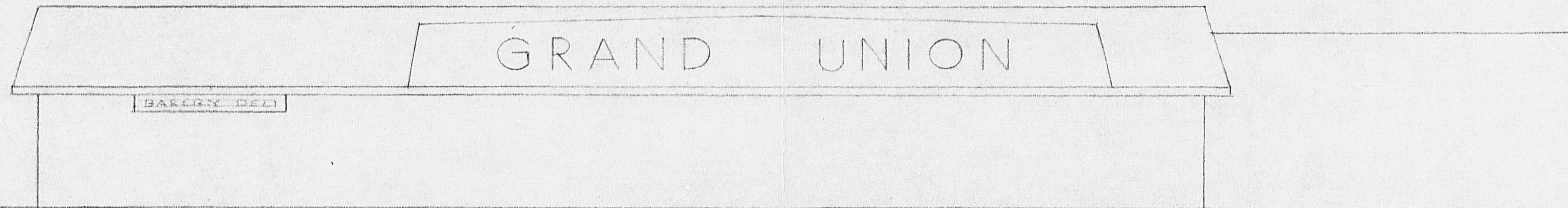
Request of VGR ASSOCIATES, Property Owner-Grand Union Company, Lessee,
for a Variance ~~Special Use Permit~~ of the
regulations of the Zoning Local Law, to permit

erection of a "Bakery - Deli" sign on the face of
Grand Union

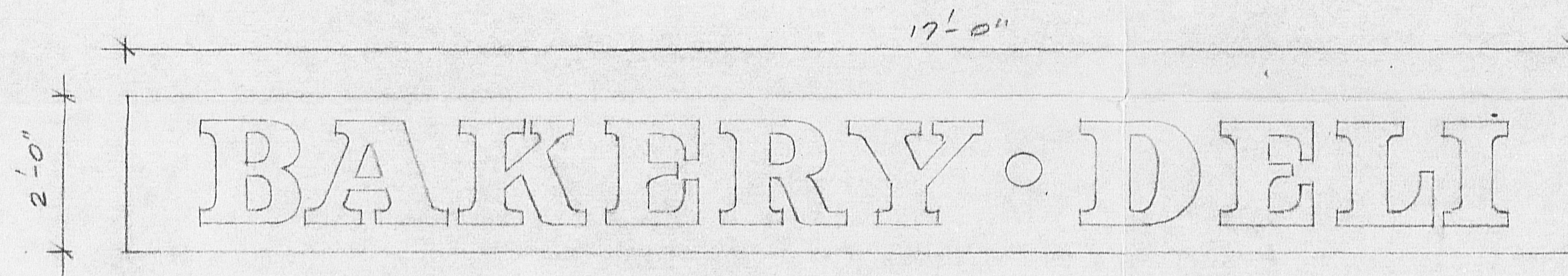
being a Variance ~~Special Use Permit~~ of
Section 48-9 - Table of Use Regulations-Column D,
for property situated at: Barkers Plaza, Vails Gate,
New Windsor, N. Y.

SAID HEARING will take place on the _____ day of _____, 19____,
at the New Windsor Town Hall, 555 Union Avenue, New Windsor, N. Y.
beginning at _____ o'clock P. M.

THEODORE JARGSTOREFF
Chairman



ELEVATION
SCALE 3/32" = 1'-0"



ELEVATION
SCALE 3/4" = 1'-0"

CANOPY BEAM

1/2" X 6" LAG BOLTS

FLUOR. LAMPS

1 1/2" X 1 1/2" X 3/16" L FRAMING (CONT.)

10"

SIDE VIEW
SCALE 3/4" = 1'-0"

SINGLE FACE UNDER CANOPY SIGN -
0.040 GA. (BRONZE) ALUM. SIGN CABINET
LETTERING ROUTED OUT OF ALUM. &
BACKED WITH 3/16" YELLOW PLEXIGLAS.
1 1/2" X 1 1/2" X 3/16" L FRAMING (CONT.)
ALL WELDED CONST.
INTERIOR ILLUMINATED W/ HIGH OUT-PUT
FLUOR. LAMPS 12' ON.
CONCEALED FASTENINGS - SIGN IS LAG
BOLTED TO CANOPY BEAMS

LS	LAFAYETTE SIGN CO. JERSEY CITY, N. J.	
	GRAND UNION STORE #487 UNDER CANOPY SIGN VALLESGATE, WINDSOR, N. Y.	
SCALE NOTED	DATE 4-14-77	DRAWING NO.
JOB NO.	DRAWN BY W.L.	V=II
APPROVED		